

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
LAFAYETTE DIVISION

LAFAYETTE VENETIAN BLIND, INC.	)	
	)	
Plaintiff,	)	Case No. 4:20-cv-00021-PPS-JEM
	)	
vs.	)	
	)	
	)	
BLINDS TO GO (U.S.), INC. and BLINDS	)	
TO GO, INC.,	)	
	)	
Defendants.	)	
	)	

**ORDER AND JUDGMENT UPON STIPULATION**

Plaintiff, Lafayette Venetian Blind, Inc., and Defendants, Blinds to Go (U.S.), Inc. and Blinds to Go, Inc., filed a Joint Motion for Entry of Consent Judgment. [DE 59.]

After careful consideration, the Motion [DE 59] is GRANTED.

Plaintiff and Defendants, by counsel, and pursuant to Fed. R. Civ. P. 58, hereby consent to the personal jurisdiction of this Court, and stipulate and agree to entry by this Court of Judgment as to all claims and defenses herein as follows:

1. The Court declares that:
  - a. Plaintiff Lafayette Venetian Blind, Inc. owns and enjoys common law rights throughout the United States in and to the term “Allure” for branding window treatments, blinds, and shades (the “Allure Trademark”), and

- b. Plaintiff Lafayette Venetian Blind, Inc.'s rights in the Allure Trademark, including as registered with the United States Patent and Trademark Office as U.S. Trademark Registration No. 3537759, are superior to any rights which Defendants may claim in and to the use of the term "Allure" for branding window treatments, blinds, and shades in the United States.
  - c. Defendants have no right, license, or permission to use Plaintiff Lafayette Venetian Blind, Inc.'s Allure Trademark.
2. The Court permanently enjoins the Defendants from using the Allure Trademark to market, advertise, distribute or identify Defendants' products.
3. Defendants shall and will pay Plaintiff Eight Hundred Twenty-Five Thousand Dollars (USD) within three business days of the Court's entry of this Judgment Upon Stipulation.
4. The Court orders that Defendants: (i) delete or destroy all paper and electronic forms and packaging, website content, labels, and promotional materials, in their possession, custody or control, which employ the term "Allure," except for non-public archival business records and any materials that may be required to be maintained by applicable laws; and (ii) file with the Court and serve on counsel of record for Plaintiff Lafayette Venetian Blind, Inc. within thirty (30) days after entry of this Judgment, a statement in writing and under oath confirming completion of this step.
5. The parties have waived all rights of appeal from the entry of this Final Judgment.

6. Each side shall bear its own attorneys' fees and costs.

SO ORDERED.

ENTERED: September 29, 2021.

/s/ Philip P. Simon  
PHILIP P. SIMON, JUDGE  
UNITED STATES DISTRICT COURT